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**Certificate of First Class Mailing**

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*J. Dwight Poffenberger Jr.*  
J. Dwight Poffenberger, Jr. Reg. No. 35,324  
March 2, 2005  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 6,800,339 B2

Issued: October 5, 2004

Applicant(s): Joseph E. Motz; Mark A. Heinlein; and Stephen L. Linville

Title: Filled Synthetic Turf With Ballast Layer

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTN: DECISION AND CERTIFICATE OF CORRECTION  
BRANCH OF THE PATENT ISSUE DIVISION

**Certificate**  
**MAR 10 2005**  
**of Correction**

Sir:

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT**  
**FOR PTO MISTAKE(S) AND FOR APPLICANTS' MISTAKES(S)**  
**(37 CFR 1.322 (a) AND 1.323)**

It is respectfully requested that a Certificate of Correction be issued for the patent identified in the heading. The mistakes are the fault of the United States Patent and Trademark Office, except those specified otherwise.

**In the Specification (Background of the Invention)**

In Column 1, line 50, insert the following after "type of artificial turf." –  
However, in recent years there has been a move toward synthetic turfs which look and feel more like natural grass.

To do this, the pile filaments are generally increased in length, to more closely

resemble the look of natural grass. Also, in order to give the synthetic turf a desired degree of resiliency and stability, a granular fill material is placed between or among the upstanding pile filaments of the synthetic turf. This granular fill material typically extends upwardly from the upper surface of the backing to a height below the tops of the pile filaments, thereby leaving upper portions of the pile filaments exposed for aesthetic purposes, among others. The granular fill material helps maintain in a substantially upright condition the filaments of the synthetic turf.

In the past this granular fill material has been sand, crushed slag particles, resilient foam, crumb rubber particles, sand or several different combinations of two or more of these materials. The most typical of these infill materials for synthetic turfs has been sand, because it is readily available at a relatively low cost, and it provides enough weight to hold the backing down during and after installation. This hold down aspect remains important even after installation, because filled synthetic turfs are subject to large temperature fluctuations, which results in contraction and expansion of the turf backing. A fill with at least one layer of sand stabilizes the backing of the synthetic turf and provides weight to minimize lateral movement of the backing. – .

In Column 1, line 51, delete the paragraph that begins with – “ In order to give the synthetic field” – .

In Column 1, line 66, replace “difficulty” with – problem – .

In Column 2, line 12, replace “difficulty” with – problem – .

In Column 2, line 18, replace “difficulty” with – problem – .

In Column 2, line 19, after “mixture is that” insert – ,over time and after repeated use, – .

In Column 2, line 20, delete – over time and repeated use – .

Column 2, lines 25 through Column 3, line 5, delete the text starting at “A further disadvantage” through “potential structural enhancements.” and replace with –

A further disadvantage of an initially uniform mixture of this type is that the top surface never remains completely mixed. Inevitably the top surface will have some localized regions of abrasive sand particles. This means that the playing surface is not uniform in performance characteristics across its entire surface area. It also means that for some regions of the field, players will inevitably come into contact with the sand particles and may suffer skin abrasions.

U.S. Patent No. 5,958,527 discloses a filled synthetic turf with an infill of sand and resilient particles which are specifically layered, in an effort to overcome the above-described problems of a uniformly mixed sand/rubber infill. More particularly, the granular fill material comprises three separate layers of particles, with sand at the bottom,

resilient particles at the top and a mixture therebetween. While this may be an improvement over prior uniformly mixed infills, the improvement tends to be short-lived. Over time and after repeated use, the sand at the bottom of the mixture tends to compact, causing the field to harden and to inhibit the vertical drainage of water off the field through the backing of the filled synthetic turf.

Also, as a synthetic field is used over time, the cleats of athletes tend to churn up and mix the various fill materials. Thus, even if a layered infill is used, eventually this cleat churning will result in some abrasive sand particles finding their way to the surface of the synthetic turf between the pile filaments. This results in upper areas of exposed sand, which means the playing surface lacks uniformity. Also, whenever an athlete falls or contacts the turf, the athlete is susceptible to cuts or abrasions due to the sand. Moreover, the sand particles located at the surface of the fill material also are abrasive to the pile filaments of the synthetic turf, thereby degrading and/or fibrillating the tops of the pile filaments over time. In short, based on applicants' present understanding of filled artificial fields, for infills with a mixture of sand and resilient particles, whether uniformly mixed or layered, the resilient effect of the rubber particles is only temporary.

Therefore, it is an object of the present invention to sufficiently hold down the backing of a filled synthetic turf while eliminating the adverse effects presently associated with the use of sand.

It is another object of the present invention to extend the life of the resilient characteristics of a filled synthetic turf while still maintaining a high degree of directional stability for the synthetic backing.

It is still another object of the present invention to attain a longer lasting, uniformly resilient athletic playing surface at a relatively low cost, preferably with the playing surface being sufficiently versatile in design to accommodate a number of potential structural enhancements. –

#### In the Specification (Summary of the Invention)

In Column 3, lines 13-14, replace “multi-layered particulate fill, the lower layer being a heavy particulate such as gravel” with – dual-layered particulate fill, including a lower layer of a heavy and relatively large particulate such as gravel – .

In Column 4, lines 1-33, delete the text starting with “In one aspect of the present invention” and ending with “synthetic turf located thereabove.” and replace with –

In one aspect of the present invention, the height of the first lower layer is approximately equal to the height of the second upper layer. However, different circumstances for different fields, perhaps depending on the sport for which the field is primarily designated, may result in a desire or a need to have the first lower layer and the second upper layer of different desired heights. There may even be some circumstances where the particulate fill material essentially comprises a generally uniform mixture of ballast particles and resilient particles.

In one variation of the present invention, the filled synthetic turf is multi-layered comprising at least two layers of filled synthetic turf. A surface layer of filled synthetic turf, such as the one described herein, resides above a subsurface lower layer of another filled synthetic turf. The subsurface comprises a subsurface backing with a plurality of subsurface pile filaments extending upwardly therefrom to a desired height. A subsurface fill material resides on the subsurface backing to a desired vertical height relative to the desired height of the subsurface pile filaments. The subsurface fill material includes at least some resilient particles. In one aspect of the present invention the subsurface fill material may comprise gravel or sand as a lower layer and resilient particles such as rubber particles as an upper layer. The subsurface fill material may be held in place with a binder, such as a polymeric coating, applied to the subsurface fill material and the subsurface pile filaments. Other binders such as latex or urethane may be used to hold the subsurface fill material in place.

With this particular variation of the present invention, the composition of the subsurface fill material, the height of the subsurface pile filaments and/or the binder are selected to achieve a desired degree of shock absorption for the subsurface and for the upper layer of synthetic turf.

The objects and features of the present invention will become more readily apparent from the following detailed description and the accompanying drawings –.

#### In the Specification (Brief Description of the Drawings)

In Column 4, lines 42-45, delete the paragraph beginning with “The objects and features..”

In Column 5, line 9, replace “turf;” with – turf. – .

#### In the Specification (Detailed Description of the Invention)

In Column 6, line 51, replace “Referring the FIG.” with – Referring to FIG. – .  
(Applicants’ mistake)

In Column 7, line 46, replace “Referring the FIG.” with – Referring to FIG. – .  
(Applicants’ mistake)

In Column 8, line 45, replace “Referring the FIG.” with – Referring to FIG. – .  
(Applicants’ mistake)

In Column 8, line 55, replace “a having two” with – having two – .  
(Applicants’ mistake)

In Column 9, line 19, replace "mult-layered" with – multi-layered – .  
(Applicants' mistake)

In Column 9, line 53, replace "regarding" with – regardless – .  
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In the Claims

In Column 10, line 26, Claim 1, replace "a first lower layer of gravel located on" with – a first lower layer consisting essentially of gravel located on – .  
(Applicants' mistake)

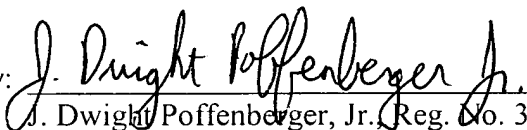
In Column 14, line 40, Claim 14, replace "milimeters." with – millimeters. – .  
(Applicants' mistake)

In Column 11, lines 46-47, Claim 15, replace "filling a particulate fill material on the backing to a desired height, the pile filaments extending above the fill material, the first layer" with – filling a first layer of particulate fill material on the backing to a desired height, the pile filaments extending above the first layer – .

In accordance with the established procedure for handling such certificates, two copies of PTO-1050 are enclosed herewith listing the errors, and a check in the amount of \$100.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:   
J. Dwight Poffenberger, Jr. Reg. No. 35,324

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2700 Carew Tower  
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(513) 241-2324

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 6,800,339  
DATED : October 5, 2004  
INVENTOR(S) : Joseph E. Motz, Mark A. Heinlein, and Stephen L. Linville

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

### In the Specification (Background of the Invention)

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However, in recent years there has been a move toward synthetic turfs which look and feel more like natural grass.

To do this, the pile filaments are generally increased in length, to more closely resemble the look of natural grass. Also, in order to give the synthetic turf a desired degree of resiliency and stability, a granular fill material is placed between or among the upstanding pile filaments of the synthetic turf. This granular fill material typically extends upwardly from the upper surface of the backing to a height below the tops of the pile filaments, thereby leaving upper portions of the pile filaments exposed for aesthetic purposes, among others. The granular fill material helps maintain in a substantially upright condition the filaments of the synthetic turf.

In the past this granular fill material has been sand, crushed slag particles, resilient foam, crumb rubber particles, sand or several different combinations of two or more of these materials. The most typical of these infill materials for synthetic turfs has been sand, because it is readily available at a relatively low cost, and it provides enough weight to hold the backing down during and after installation. This hold down aspect remains important even after installation, because filled synthetic turfs are subject to large temperature fluctuations, which results in contraction and expansion of the turf backing. A fill with at least one layer of sand stabilizes the backing of the synthetic turf and provides weight to minimize lateral movement of the backing. –

In Column 1, line 51, delete the paragraph that begins with – " In order to give the synthetic field" – .

In Column 1, line 66, replace "difficulty" with – problem – .

In Column 2, line 12, replace "difficulty" with – problem – .

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Wood, Herron & Evans, L.L.P. Page 1 of 4  
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A further disadvantage of an initially uniform mixture of this type is that the top surface never remains completely mixed. Inevitably the top surface will have some localized regions of abrasive sand particles. This means that the playing surface is not uniform in performance characteristics across its entire surface area. It also means that for some regions of the field, players will inevitably come into contact with the sand particles and may suffer skin abrasions.

U.S. Patent No. 5,958,527 discloses a filled synthetic turf with an infill of sand and resilient particles which are specifically layered, in an effort to overcome the above-described problems of a uniformly mixed sand/rubber infill. More particularly, the granular fill material comprises three separate layers of particles, with sand at the bottom, resilient particles at the top and a mixture therebetween. While this may be an improvement over prior uniformly mixed infills, the improvement tends to be short-lived. Over time and after repeated use, the sand at the bottom of the mixture tends to compact, causing the field to harden and to inhibit the vertical drainage of water off the field through the backing of the filled synthetic turf.

Also, as a synthetic field is used over time, the cleats of athletes tend to churn up and mix the various fill materials. Thus, even if a layered infill is used, eventually this cleat churning will result in some abrasive sand particles finding their way to the surface of the synthetic turf between the pile filaments. This results in upper areas of exposed sand, which means the playing surface lacks uniformity. Also, whenever an athlete falls or contacts the turf, the athlete is susceptible to cuts or abrasions due to the sand. Moreover, the sand particles located at the surface of the fill material also are abrasive to the pile filaments of the synthetic turf, thereby degrading and/or fibrillating the tops of the pile filaments over time. In short, based on applicants' present understanding of filled artificial fields, for infills with a mixture of sand and resilient particles, whether uniformly mixed or layered, the resilient effect of the rubber particles is only temporary.

Therefore, it is an object of the present invention to sufficiently hold down the backing of a filled synthetic turf while eliminating the adverse effects presently associated with the use of sand.

It is another object of the present invention to extend the life of the resilient characteristics of a filled synthetic turf while still maintaining a high degree of directional stability for the synthetic backing.

It is still another object of the present invention to attain a longer lasting, uniformly resilient athletic playing surface at a relatively low cost, preferably with the playing surface being sufficiently versatile in design to accommodate a number of potential structural enhancements. –.

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In the Specification (Summary of the Invention)

In Column 3, lines 13-14, replace "multi-layered particulate fill, the lower layer being a heavy particulate such as gravel" with – dual-layered particulate fill, including a lower layer of a heavy and relatively large particulate such as gravel – .

In Column 4, lines 1-33, delete the text starting with "In one aspect of the present invention" and ending with "synthetic turf located thereabove." and replace with –

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In one variation of the present invention, the filled synthetic turf is multi-layered comprising at least two layers of filled synthetic turf. A surface layer of filled synthetic turf, such as the one described herein, resides above a subsurface lower layer of another filled synthetic turf. The subsurface comprises a subsurface backing with a plurality of subsurface pile filaments extending upwardly therefrom to a desired height. A subsurface fill material resides on the subsurface backing to a desired vertical height relative to the desired height of the subsurface pile filaments. The subsurface fill material includes at least some resilient particles. In one aspect of the present invention the subsurface fill material may comprise gravel or sand as a lower layer and resilient particles such as rubber particles as an upper layer. The subsurface fill material may be held in place with a binder, such as a polymeric coating, applied to the subsurface fill material and the subsurface pile filaments. Other binders such as latex or urethane may be used to hold the subsurface fill material in place.

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The objects and features of the present invention will become more readily apparent from the following detailed description and the accompanying drawings –.

In the Specification (Brief Description of the Drawings)

In Column 4, lines 42-45, delete the paragraph beginning with "The objects and features.."

In Column 5, line 9, replace "turf;" with – turf. – .

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In Column 8, line 55, replace "a having two" with – having two – .

In Column 9, line 19, replace "mult-layered" with – multi-layered – .

In Column 9, line 53, replace "regarding" with – regardless – .

In the Claims

In Column 10, line 26, Claim 1, replace "a first lower layer of gravel located on" with – a first lower layer consisting essentially of gravel located on – .

In Column 14, line 40, Claim 14, replace "milimeters." with – millimeters. – .

In Column 11, lines 46-47, Claim 15, replace "filling a particulate fill material on the backing to a desired height, the pile filaments extending above the fill material, the first layer" with – filling a first layer of particulate fill material on the backing to a desired height, the pile filaments extending above the first layer – .

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